



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

October 07, 2013

1308-PUD-09

Exhibit 1

Petition Number: 1308-PUD-09

Petitioner: Pulte Homes of Indiana, LLC

Representative: Steve Hardin, Esq., Faegre Baker Daniels, LLP

Request: Amendments to the Viking Meadows PUD Ordinance and exhibits referenced therein (Ordinance No. 04-22), to modify development standards applicable to Parcel E and Parcel F of the Viking Meadows PUD.

Current Zoning: Viking Meadows PUD

Current Land Use: Vacant

Approximate Acreage: 13.5 acres

Exhibits:

1. Staff Report
2. Aerial Location Map
3. Viking Meadows Concept Plan
4. Proposed Viking Meadows PUD Amendment, 09/25/13
5. Redlined Copy of the Proposed Viking Meadows PUD Amendment
6. Commitments Concerning the Use and Development of Parcels E and F
7. Public Comment from 08/05/2013 to 08/20/2013

Staff Reviewer: Sarah L. Reed, AICP

Petition History

This Petition received a public hearing at the August 05, 2013 Advisory Plan Commission (the "APC") meeting.

Procedural

The recommendation from the APC to the City Council may be made at the October 07, 2013 APC meeting.

Project Overview

Project Location

The subject property is approximately 13.5 acres in size and is located on the southwest and southeast corners of 161st Street and the Monon Trail (See Parcels E and F on Exhibit 3), in the Viking Meadows PUD (the "Property").

Project Description

The proposal is in response to items discussed with the existing Viking Meadows residents with respect to the proposed Enclave and Springs PUD (Petition Number: 1305-PUD-04). The residents have indicated that the addition of the Enclave and Springs to the Viking Meadows community would cause their amenities to become over crowded. Currently, the Viking Meadows PUD (Ordinance 04-22, the "Original Viking Meadows PUD") requires all parcels within the Original Viking Meadows PUD to have access to the amenities. The Petitioner has been working with the Viking Meadows residents on this item and will provide an update at the October 07, 2013 APC meeting. This proposal was submitted in response to those meetings.

The Proposal

The proposed PUD Amendment would remove Parcels E and F from the listing of Viking Meadows parcels required to have access to the amenities and would modify the list of possible amenities to be provided for Parcels E and F (the "Proposal").

The Proposal also removes all references to local business uses for Parcel E and Parcel F and adds provisions for no garage doors facing Viking Meadows Common Areas. A full summary of the Proposal can be found in Exhibit 4.

Modifications since the August 05, 2013 APC Public Hearing

The petitioner will keep the amenities chart within the Original Viking Meadows PUD the same, the draft that was presented at the August 05th meeting identified changes to the chart. However, instead, they have modified the Proposal to add several items to the list of amenities to include: a dog park, outdoor entertainment area, or a connection to the Monon Trail (with sitting area, landscaped entrance, and signage).

The petitioner has removed all references to any local business uses for Parcel E and Parcel F.

The petition is requesting to modify Section 9.6(L) by adding that no garage doors will be permitted on the façade of a multi-family building (within 150') that is most parallel to the existing Viking Meadows Common Areas that are not part of the current legal description for Parcels E and F.

Commitments to the City of Westfield and the Viking Meadows homeowners have been added, see Page 3 for a description.

The changes made from the proposal presented at the August 05, 2013 Public Hearing are identified in Exhibit 5, a redline version of the PUD Amendment.

Commitments Concerning the Use and Development of Parcels E and F

The Commitments Concerning the Use and Development of Parcels E and F were developed to formalize agreements made between Pulte and the Viking Meadows homeowners. The Commitments are enforceable by the City of Westfield and the Viking Meadows homeowners. A copy of the Commitments is provided in Exhibit 6.

Statutory Considerations

Indiana Code 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.

The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as being on the boundary between "Suburban Residential" and "Employment Corridor".

2. Current conditions and the character of current structures and uses.

The Property is vacant.

3. The most desirable use for which the land is adapted.

The Comprehensive Plan establishes that Suburban Residential and Employment Corridor development is appropriate in this location. The proposed amendments to the PUD allow for the continued development of Viking Meadows as a Suburban Residential neighborhood.

4. The conservation of property values throughout the jurisdiction.

It is anticipated that the Proposal would have a neutral or a positive impact on surrounding property values and throughout the jurisdiction.

5. Responsible growth and development.

The Property is contiguous to other developed areas, and the improvement of the Property would be consistent with the principle of contiguous growth.

Staff Comments/Recommendation

If the APC is satisfied with the proposal as presented, then forward 1308-PUD-09 to the City Council with a favorable recommendation and with the following condition:

- That the Commitments (Exhibit 6 of this staff report) are recorded with 1308-PUD-09 upon adoption by City Council.